

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 v.
12 Plaintiff,

13 DAVIS BATEMAN,

14 Defendant.

CASE NO. CR19-0133-JCC

ORDER

15 This matter comes before the Court on Defendant's unopposed motion to continue the
16 trial date and pretrial motions deadline (Dkt. No. 15). Defendant has filed a speedy trial waiver
17 up to and including February 28, 2020. (Dkt. No. 16.) Having thoroughly considered the filings,
18 and based on the facts set forth in Defendant's motion, the Court FINDS as follows:

19 1. Taking into account the exercise of due diligence, a failure to grant a continuance
20 in this case would deny defense counsel reasonable time necessary for effective preparation due
21 to counsel's need for more time to review the evidence, consider possible defenses, and gather
22 evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

23 2. Failure to grant a continuance would likely result in the miscarriage of justice, as
24 set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

25 3. The additional time requested is a reasonable period of delay, as Defendant has
26 requested more time to prepare for trial, investigate the matter, gather evidence material to the

1 defense, and consider possible defenses;

2 4. The ends of justice will best be served by a continuance, and the ends of justice
3 outweigh the best interests of the public and Defendant in any speedier trial, as set forth in 18
4 U.S.C. § 3161(h)(7)(A); and

5 5. The additional time requested between the current trial date of September 23,
6 2019 and the new trial date is necessary to provide defense counsel reasonable time to prepare
7 for trial considering counsel's schedule and all of the facts set forth above.

8 For those reasons, Defendant's unopposed motion (Dkt. No. 15) is GRANTED. The
9 Court ORDERS that the trial in this matter is CONTINUED from September 23, 2019 to
10 February 18, 2020 at 9:30 a.m. The parties shall file any pretrial motions no later than December
11 20, 2019. It is further ORDERED that the time between the date of this order and the new trial
12 date is excludable time under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

13 DATED this 16th day of August 2019.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE